IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 19233 of 2005

Between:

B.Nagaraju and 12 others

..... PETITIONERS

AND

The Executive Engineer (Irrigation)

TBHLC, Anantapur District

And 5 others

.....RESPONDENTS

ORDER:

Seeking a Mandamus declaring the action of the respondents in trying to interfere with the agricultural operations of the petitioners' lands to the extent of Ac.75.85 cents situated in Sy.Nos.114B2, 53/3A,B, 53/1A, 66-GH1, 69-CD, 70E, 75B, 198B, 28A, 63, 65A1, 28B1, 59A, 59BA, 51, 66D, 69A, 62, 64 and 65A3 of Uddehal village, Bommanahal Mandal, Anantapur District as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel on either side.

There is no factual foundation in the allegations of the affidavit filed in support of the petition as to the infringement of legal right of the petitioners. Even in the affidavit it is stated that the respondents are trying to destroy the paddy crops in the petitioners' fields, which are being cultivated by their own waters. Therefore, in the absence of any violation of legal rights, the remedy of the petitioners is otherwise. The writ petition is devoid of merits and liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

_____

K.C. BHANU,J

Dated: 31.08.2005

Dsr

Note:

Issue CC by tomorrow

B/o

Dsr